

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

ADRIENNE BENSON AND MARY
SIMONSON, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

DOUBLE DOWN INTERACTIVE, LLC, et al.,

Defendants.

No. 2:18-cv-00525-RSL

**AMENDED STIPULATED
MOTION AND ORDER RE
BRIEFING SCHEDULE ON
PLAINTIFFS' MOTION FOR
CLASS CERTIFICATION
AND PRELIMINARY
INJUNCTION**

NOTING DATE: April 9, 2021

On March 10, 2021, the Court noted that “if the parties agree that more time is necessary, they may file a stipulation to renote the motion for class certification.” Dkt. 206 at 3. On April 1, 2021, the wife of one of the lead attorneys for Defendant Double Down Interactive, LLC (“Double Down”) went into premature labor, and that attorney will now be out of the office unexpectedly for several weeks. Double Down promptly requested that Plaintiffs agree to a modest extension to accommodate the circumstances, and Plaintiffs agreed. Consequently, the Parties have agreed—subject to Court approval—to the following stipulated briefing schedule on Plaintiffs’ motion for class certification and preliminary injunction, Dkt. 164:

- **Defendants’ opposition deadline:** April 28, 2021
- **Plaintiffs’ reply deadline and date for renote:** May 10, 2021

In addition, because an extension of the briefing schedule, alone, would complicate the Parties’ efforts to complete fact discovery prior to the July 6 deadline, the Parties respectfully request that the Court extend the existing deadlines noted as set forth in its Order Setting Trial Date and Related Dates, Dkt. 208, by approximately two weeks:

	Current Date	Proposed New Date
TRIAL DATE		(no change)
	November 1, 2021	November 1, 2021
Deadline for joining additional parties	April 5, 2021	April 19, 2021
Deadline for amending pleadings	May 5, 2021	May 19, 2021
Reports from expert witnesses under FRCP 26(a)(2) due	May 5, 2021	May 19, 2021
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) or LCR 37(a)(2)		
Discovery completed by	July 6, 2021	July 20, 2021
Settlement conference held no later than	July 18, 2021	August 2, 2021
All dispositive motions must be filed and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)(3))	August 3, 2021	August 17, 2021

All motions in limine must be filed by and noted on the motion calendar no earlier than the <u>second</u> Friday thereafter. Replies will be accepted.	October 4, 2021	(no change) October 4, 2021
Agreed pretrial order due	October 20, 2021	(no change) October 20, 2021
Pretrial conference to be scheduled by the Court		
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	October 27, 2021	(no change) October 27, 2021
Length of Trial: 5-10 days	Jury	Jury

Defendants state that in addition to this stipulation, they reserve their rights to seek extension or relief from the existing schedule on other grounds.

For the reasons stated above, the Parties respectfully request that the Court grant this stipulated motion and enter the attached [Proposed] Order.

DATED this 9th day of April, 2021.

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

Attorneys for Double Down Interactive, LLC

By s/ Jaime Drozd Allen

Jaime Drozd Allen, WSBA #35742
 Stuart R. Dunwoody, WSBA #13948
 Cyrus E. Ansari, WSBA #52966
 Benjamin J. Robbins, WSBA # 53376
 920 Fifth Avenue, Suite 3300
 Seattle, WA 98104
 Telephone: 206-757-8039
 Fax: 206-757-7039
 E-mail: jaimeallen@dwt.com
 E-mail: stuardunwoody@dwt.com
 E-mail: cyrusansari@dwt.com
 E-mail: benrobbins@dwt.com

1 DUANE MORRIS LLP

2 Attorneys for International Game Technology

3 By s/ William Gantz

4 William Gantz (admitted *pro hac vice*)
5 Dana B. Klinges (admitted *pro hac vice*)
6 100 High Street, Suite 2400
7 Boston, MA 02110-1724
8 Telephone: 857-488-4234
9 E-mail: BGantz@duanemorris.com
10 E-mail: DKlinges@duanemorris.com

11 OGLETREE, DEAKINS, NASH, SMOAK &
12 STEWART, P.C.

13 By: s/ Adam T. Pankratz

14 Adam T. Pankratz, WSBA #50951
15 1201 Third Avenue, Suite 5150
16 Seattle, WA 98101
17 Telephone: 206-693-7057
18 E-mail: adam.pankratz@ogletree.com

19 EDELSON PC

20 By: s/ Todd Logan

21 Rafey S. Balabanian*
22 Todd Logan*
23 Brandt Silver-Korn*
24 123 Townsend Street, Suite 100
25 San Francisco, CA 94107
26 Telephone: 415-212-9300
27 Fax: 415-373-9435
Email: rbalabanian@edelson.com
Email: tlogan@edelson.com
Email: bsilverkorn@edelson.com

ORDER

The Parties' stipulated motion is **GRANTED**. Defendants' deadline to respond to plaintiffs' class certification and preliminary injunction motion, Dkt. 164, is April 28, 2021. Plaintiffs' reply deadline is May 10, 2021.

All existing case deadlines as set forth in the Court's Order Setting Trial Date and Related Dates, Dkt. 208 are to be extended by approximately two weeks according to the following schedule:

TRIAL DATE	November 1, 2021
Deadline for joining additional parties	April 19, 2021
Deadline for amending pleadings	May 19, 2021
Reports from expert witnesses under FRCP 26(a)(2) due	May 19, 2021
All motions related to discovery must be noted on the motion calendar no later than the Friday before discovery closes pursuant to LCR 7(d) or LCR 37(a)(2)	
Discovery completed by	July 20, 2021
Settlement conference held no later than	August 2, 2021
All dispositive motions must be filed and noted on the motion calendar no later than the fourth Friday thereafter (see LCR 7(d)(3))	August 17, 2021
All motions in limine must be filed by and noted on the motion calendar no earlier than the <u>second</u> Friday thereafter. Replies will be accepted.	October 4, 2021
Agreed pretrial order due	October 20, 2021
Pretrial conference to be scheduled by the Court	
Trial briefs, proposed voir dire questions, proposed jury instructions, and trial exhibits due	October 27, 2021
Length of Trial: 5-10 days	Jury

1 **IT IS SO ORDERED.**

2
3 DATED this 9th day of April, 2021.

4 

5
6 ROBERT S. LASNIK
7 UNITED STATES DISTRICT JUDGE
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27